

## REMARKS

This application has been reviewed in light of the Office Action dated April 27, 2007. Claims 32, 33, 36-38, 41-43, 46 and 47 are presented for examination, of which Claims 32, 37, 42, and 47 are in independent form. Claims 48-55 have been canceled, without prejudice or disclaimer of subject matter. Claims 32, 33, 36-38, 41-43, 46 and 47 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested. The canceled claims will not be further addressed herein.

Claims 32, 37 and 42 were objected to based on the informalities noted in paragraph 2 of the Office Action. The claims have been carefully reviewed and amended to delete the recitation “wherein the device driver is obtained from the external information processing apparatus.” It is believed that the objection to Claims 32, 37 and 42 has been obviated and its withdrawal is, therefore, respectfully requested.

Claims 32, 33, 37, 38, 42, 43 and 47 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,911,044 (Lo) in view of U.S. Patent No. 6,772,420 (Poger). Claims 36, 41 and 46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo in view of Poger, as applied to Claims 32, 37 and 42, and in further view of W. Richard Stevens, “NFS: Network File System”, TCP/IP Illustrated Volume 1, the Protocols (Stevens).

As shown above, Applicants have amended independent Claims 32, 37, 42 and 47 in terms that more clearly define what they regard as their invention. Applicants submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 32 is directed to an image processing apparatus connected with an external information processing apparatus and a peripheral apparatus via a network. The image processing apparatus includes: (1) obtaining means for obtaining a scanner driver and a printer driver, delivered from the external information processing apparatus; (2) executing means for executing a scanning process using the scanner driver to obtain data; and (3) transmitting means for transmitting the data obtained by the scanning process. The transmitting means is executed by the printer driver to cause a print service in the peripheral device to print the data obtained by the scanning process, and the print service is called remotely using a remote procedure call implemented in the printer driver.

Among other notable features of Claim 32 are: (1) obtaining means for obtaining a scanner driver and a printer driver, delivered from the external information processing apparatus; and (2) transmitting means for transmitting the data obtained by the scanning process, wherein said transmitting means is executed by the printer driver to cause a print service in the peripheral device to print the data obtained by the scanning process, and wherein the print service is called remotely using a remote procedure call implemented in the printer driver.

Lo relates to a system and method for performing scanning operations using a scanner connected to a server computer and transmitting acquired images from the scanner server to a client computer via a network. As shown in Figure 3, application program software 104 within the client computer 102 communicates with the scanner server computer 130 utilizing a virtual TWAIN driver 106 within the client computer. Scanning operations are executed within the scanner server computer 130 using scan task software 134, which communicates with the

scanner through TWAIN driver 136. Acquired images are then transmitted from the scanner server computer 130 to the client computer 102. However, Applicants have found nothing in Lo that would teach or suggest “obtaining means for obtaining a scanner driver and a printer driver, delivered from the external information processing apparatus” or “transmitting means for transmitting the data obtained by the scanning process, wherein said transmitting means is executed by the printer driver to cause a print service in the peripheral device to print the data obtained by the scanning process, and wherein the print service is called remotely using a remote procedure call implemented in the printer driver,” as recited in Claim 32.

Poger does not remedy the deficiencies of Lo. Poger relates to a network server that determines a location of a device driver of a new network device, and downloads and installs the device driver on the network server. Poger explains their invention as follows (column 5, lines 14-35):

The table used to determine the type and version of a device based on the link-layer address of the device may be stored local to a server containing the driver installation system server, or at a remote location, e.g., on another network server that may be maintained by the manufacturer.

The table containing information listing the type of device and the driver software required to query and control the device includes a list of uniform resource locators (URLs) indicating where the driver software is stored. After determining the type of the device and the driver software required to query and control it, the driver installation system determines the location of the driver software (step 230).

Next, after determining the location of the driver software, the driver installation system accesses the specified location, downloads the driver software, and installs it on a network server (step 240). Once the driver software for a particular device has been installed on a network server, other network devices may interact with that device by interacting with the network server containing the driver software needed for controlling and querying the particular device.

However, Applicants have found nothing in Poger that would teach or suggest “obtaining means for obtaining a scanner driver and a printer driver, delivered from the external information processing apparatus” or “transmitting means for transmitting the data obtained by the scanning process, wherein said transmitting means is executed by the printer driver to cause a print service in the peripheral device to print the data obtained by the scanning process, and wherein the print service is called remotely using a remote procedure call implemented in the printer driver,” as recited in Claim 32.

Accordingly, Applicants submit that Claim 32 is patentable over Lo and Poger, whether considered separately or in any permissible combination (if any).

A review of the other art of record has failed to reveal anything which, in Applicants’ opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 32.

Independent Claims 37, 42 and 47 are method, program and system claims, respectively, corresponding to apparatus Claim 32, and are believed to be patentable over the cited prior art for at least the same reasons as discussed above in connection with Claim 32.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116.

Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants respectfully request favorable consideration and early passage to issue of the present divisional application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Jennifer A. Reda/  
Jennifer A. Reda  
Attorney for Applicants  
Registration No.: 57,840

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200